

SENATE BILL 2809

By Woodson

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 51, Part 1 and Title 49, Chapter 6, Part 7, relative to lottery-funded after school programs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-701, is amended by deleting the section in its entirety and by substituting instead the following:

§ 49-6-701.

(a) The department of education shall establish, administer and monitor a system of competitive grants and technical assistance for eligible organizations providing after school educational programs consistent with article XI, section 5, of the constitution of Tennessee. Such grants and technical assistance shall supplement, not supplant, non-lottery educational resources for after school educational programs and purposes.

(b) There is created within the state treasury a fund to be administered by the department of education and to be known as the "lottery for education after school programs grant fund" hereinafter referred to as the "LEAP grant fund".

(c) In any fiscal year in which the financial assistance program for attendance at postsecondary educational institutions located within this state is funded pursuant to title 49, chapter 4, part 9, and excess funds are available from net lottery proceeds for other educational purposes and projects consistent with article XI, section 5 of the constitution of Tennessee in the after school account established in § 4-5-111(f), the governor may recommend, and the general assembly may appropriate such moneys to the department of education for deposit in the LEAP grant fund.

(d) Moneys in the LEAP grant fund shall be available to the department of education to make grants and fund technical assistance for after school programs. An after school program grant shall be awarded for a period of three (3) years with moneys for such grant earmarked in the LEAP grant fund and disbursed annually during the life of the grant according to the terms of the grant.

(e) Amounts remaining in the LEAP grant fund at the end of each fiscal year shall not revert to the general fund or to the after school account, but shall be carried forward into the subsequent fiscal year and remain available for use by the department for after school programs and technical assistance for such programs. Moneys in the fund shall be invested by the state treasurer pursuant to title 9, chapter 4, part 6 for the sole benefit of the fund. All earnings attributable to such investments shall be credited to the fund.

SECTION 2. Tennessee Code Annotated, Section 49-6-705(b)(2), is amended by deleting the subdivision in its entirety and substituting instead the following:

(2) The grants shall be available in any fiscal year in which the financial assistance program for attendance at postsecondary educational institutions located within this state is funded pursuant to chapter 4, part 9 of this title, and excess funds are available from net lottery proceeds for other educational purposes and projects consistent with article XI, section 5 of the constitution of Tennessee in the after school account established in § 4-5-111(f). In any such year, the governor may recommend, and the general assembly may appropriate, such moneys to the LEAP grant fund for grants for pilot after school educational programs. The appropriations shall otherwise be made in the manner required by law for appropriations.

SECTION 3. Tennessee Code Annotated, Section 49-6-705(d)(1), is amended by adding the following sentence at the end of the subdivision:

A pilot after school educational program grant shall be awarded for a period of three (3) years with moneys for such grant earmarked in the LEAP grant fund and disbursed annually during the life of the grant according to the terms of the grant.

SECTION 4. Tennessee Code Annotated, Section 49-6-706, is amended by deleting the language "after school programs special account" and substituting instead the language "LEAP grant fund".

SECTION 5. This act shall take effect July 1, 2008, the public welfare requiring it.